

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ANGELA STUDDARD, individually and as
lawful wife, next of kin, administrator ad
litem, and personal representative for
EDMOND STUDDARD, Deceased, and
Estate of Edmond Studdard,

Plaintiff,

v.

SHELBY COUNTY, TENNESSEE;
SHERIFF WILLIAM OLDHAM, in his
capacity as Sheriff of Shelby County,
Tennessee; SHELBY COUNTY SHERIFF'S
OFFICE; ERIN J. SHEPHERD, individually
and as employee or agent of Shelby County,
Tennessee; and TERRY I. REED, individually
and as employee or agent of Shelby County,
Tennessee,

Defendants.

Civil Action No.
2:17-cv-02517
Jury Demanded

DECLARATION OF ERIN SHEPHERD

Erin Shepherd declares as follows:

1. I am over eighteen (18) years of age and have personal knowledge of the matters contained in this Declaration.
2. I was a Sheriff's deputy for the Shelby County Sheriff's Office ("SCSO") at all times relevant to this Declaration, and I am a Defendant in this lawsuit, the subject of which is the July 7, 2016 shooting of Edmond Studdard.

Exhibit E

3. Attached hereto is a true and correct copy of my statement given to the SCSO Board of Professional Standards and Integrity on July 11, 2016. The statement consists of seven (7) pages.

Declaration under 28 U.S.C. § 1746

I declare under penalty of perjury that the foregoing is true and correct.


Erin Shepherd

Date: August 31, 2018

TODAY IS THURSDAY JULY THE 14TH, 2016. THIS IS DETECTIVE KEVIN LITTLE WITH THE SHELBY COUNTY SHERIFF'S OFFICE, BUREAU OF PROFESSIONAL STANDARDS AND INTEGRITY. I'M HERE AT 1080 MADISON TO INTERVIEW DEPUTY ERIN SHEPHERD.

BN-037-16

- 1 LITTLE: Ma'am state your full name and s number for the record please.
- 2 SHEPHERD: Erin Jessica Shepherd, s number 9364.
- 3 LITTLE: Okay and where are you assigned?
- 4 SHEPHERD: I'm assigned to PCRU.
- 5 LITTLE: Okay, here accompanying Deputy Shepherd is Deputy Wagner. State your full
6 name and s number.
- 7 WAGNER: Mark Wagner, s number 7594. Assigned to K-9, narcotics.
- 8 LITTLE: Okay. Also sitting in on the interview is Sgt. Jason Valentine. Sir your name and s
9 number please.
- 10 VALENTINE: Sgt. Jason Valentine my s is number 7558.
- 11 LITTLE: Okay. Before we go any further I showed you I gave you a couple of forms to sign,
12 a truthfulness form and a garity form. Do you remember signing those forms?
- 13 SHEPHERD: Yes sir.
- 14 LITTLE: Okay. Did I explain those forms to you?
- 15 SHEPHERD: Yes sir.
- 16 LITTLE: Did you understand them?
- 17 SHEPHERD: Yes sir.
- 18 LITTLE: Okay. I also afforded you a copy of your employee rights. I outlined number 4 that
19 indicated that you have the right to have someone sit in with you during your
20 interview and you chose Deputy Wagner, is that correct?
- 21 SHEPHERD: Yes sir.
- 22 LITTLE: Okay with that being said do you have any questions for me before we get
23 started?
- 24 SHEPHERD: No sir.
- 25 LITTLE: Okay. The reason I have you here today is to get to ask you some questions about
26 the incident that you were involved in, the officer involved shooting that happened I
27 believe that was July the, do you remember what day that was?
- 28 SHEPHERD: The 7th.
- 29 LITTLE: July the 7th?
- 30 SHEPHERD: Yes sir.
- 31 LITTLE: 2016. Just tell me a little bit about what happened, tell me what kind of call went
32 out that you received or heard and tell me what happened when you arrived on the
33 scene.
- 34 SHEPHERD: Okay the call that I heard was Deputy Lane following behind an individual that was
35 armed that had slit his wrists. He asked for additional officers. My partner and I at
36 the time responded.

37 LITTLE: Okay and when you arrived on the scene what happened?

38 SHEPHERD: We saw Deputy Lane and saw the individual, the suspect. We pulled in front of the
39 suspect. Deputy Lane was following behind him on his motorcycle. We pulled in
40 front of the suspect and I exited the vehicle.

41 LITTLE: Okay and when you got out of the vehicle what did you observe?

42 SHEPHERD: I saw a male white with what appeared to be severe lacerations to both of his
43 wrists and a knife in his hand.

44 LITTLE: Do you remember which hand he had the knife in?

45 SHEPHERD: In his left hand.

46 LITTLE: You got to speak up just a little bit.

47 SHEPHERD: In his left hand.

48 LITTLE: His left hand?

49 SHEPHERD: Yes sir.

50 LITTLE: Okay. So what happened after that?

51 SHEPHERD: I drew my weapon and began giving verbal commands for him to drop the
52 weapon, drop the weapon, drop the weapon and he refused to comply.

53 LITTLE: Was he saying anything during this time, the suspect?

54 SHEPHERD: I did not hear him say anything, no sir.

55 LITTLE: You did not hear him say anything?

56 SHEPHERD: No sir.

57 LITTLE: Okay what was he doing with his hands with the knife during that time?

58 SHEPHERD: He was waving it around erratically. He had been walking away from Deputy Lane
59 so he was walking north and he stopped at that time and turned towards us.

60 LITTLE: When he turned toward "us" who are you speaking about?

61 SHEPHERD: There was Deputy Lane, Deputy Reed, myself, and Deputy Pair.

62 LITTLE: Okay and when the suspect turned toward you all what did he do?

63 SHEPHERD: He put the knife up to his throat.

64 LITTLE: Did he say anything when he did that?

65 SHEPHERD: Not to my recollection.

66 LITTLE: Did you all say anything to him?

67 SHEPHERD: Yes.

68 LITTLE: What were you saying?

69 SHEPHERD: Drop the knife, drop the weapon, get down on the ground, repeatedly.

70 LITTLE: At what point did you fire your weapon?

71 SHEPHERD: At the point where he started coming towards me.

72 LITTLE: He started coming toward you?
73 SHEPHERD: Yes sir.
74 LITTLE: Okay. Just off the top of your head approximately how far from you, from him were
75 you when you fired your weapon?
76 SHEPHERD: About 7 to 10 feet.
77 LITTLE: About 7 to 10 feet? Now when he was coming toward you what was he doing?
78 SHEPHERD: He had the knife up to his throat.
79 LITTLE: He had the knife to his throat when he was coming toward you?
80 SHEPHERD: Yes sir.
81 LITTLE: Okay and he was coming toward you?
82 SHEPHERD: Yes sir.
83 LITTLE: Okay and you indicated that he had the knife in his left hand you say?
84 SHEPHERD: Left hand.
85 LITTLE: Left hand, okay. At any point did the suspect lunge at you or bring the knife down,
86 or anything like that while he was coming toward you?
87 SHEPHERD: I think in order to answer that question I would need your definition of lunge.
88 LITTLE: Um, you indicated he was coming toward you, is that right?
89 SHEPHERD: Yes.
90 LITTLE: Okay. How did he have the knife when he was coming toward you?
91 SHEPHERD: At his throat.
92 LITTLE: At his throat?
93 SHEPHERD: Yes.
94 LITTLE: Did he ever bring the knife down?
95 SHEPHERD: No.
96 LITTLE: He did not?
97 SHEPHERD: No.
98 LITTLE: Okay and you indicated when he was approximately 7 to 10 feet away that's when
99 you fired your weapon...
100 SHEPHERD: Yes.
101 LITTLE: is that right?
102 SHEPHERD: That's right.
103 LITTLE: Okay from the time you got on the scene or actually from the time you heard the
104 call go out to the time the shooting the actual shooting occurred, do you recall how
105 long that was?
106 SHEPHERD: I don't.

107 LITTLE: No. Do you recall whether anybody called for a CIT Officer?
108 SHEPHERD: I don't but I am a CIT Officer.
109 LITTLE: You are?
110 SHEPHERD: I am.
111 LITTLE: Okay good and were you trying to talk to him?
112 SHEPHERD: I was.
113 LITTLE: What were you saying to him?
114 SHEPHERD: I was saying, "Don't do it, don't do it. Drop the knife, don't do it." Before he came to
115 walk towards me he went to walk towards Deputy Lane and so I was continuing to
116 say, "Stop it's okay. Don't do it. Let's not do this. Put the knife down. Let's talk." all
117 of those things.
118 LITTLE: Okay do you have any questions Sgt. Valentine?
119 VALENTINE: Officer Shepherd I've got a couple of questions for you. Going back to when you
120 were saying that we arrived, were you riding by yourself that day?
121 SHEPHERD: No I was the passenger in a vehicle with Deputy Pair.
122 VALENTINE: Okay. That vehicle that y'all were driving was it equipped with a MVR in the
123 vehicle?
124 SHEPHERD: No.
125 VALENTINE: And was there a camera or any audio recording or anything that was there that
126 day?
127 SHEPHERD: Not to my knowledge.
128 VALENTINE: Okay. You or Officer Pair with y'all riding together y'all didn't have body mics, body
129 cameras?
130 SHEPHERD: No.
131 VALENTINE: None of that, okay. What were you wearing that day? Or when you approached
132 the subject, when you made the scene what were you wearing?
133 SHEPHERD: I had on pink Brooks tennis shoes, blue jeans, thigh holster, black shirt, sheriff's
134 overvest with "Sheriff" across the front and across the back.
135 VALENTINE: Issued ballistic vest with the pockets on it that says "Sheriff" and what color is the
136 sheriff?
137 SHEPHERD: Yellow.
138 VALENTINE: Yellow sheriff letters. Alright now when you approached the subject or when the
139 subject approached you when the contact was made when the interaction was
140 made was he walking, was he running, was he walking at a quick pace? What was
141 his gage or speed like?
142 SHEPHERD: Upon our arrival he was walking quickly, northbound.
143 VALENTINE: On?
144 SHEPHERD: Big Orange.

145 VALENTINE: Big Orange.
146 SHEPHERD: Towards Macon.
147 VALENTINE: And I think you answered this, you don't recall as you approached him do you
148 recall him saying anything?
149 SHEPHERD: No I don't.
150 VALENTINE: Okay. Did you do you remember hearing anything? Maybe not actual words but do
151 you remember hearing do you recall hearing him, do you recall hearing him say
152 anything and you can't recall what he said or you just can't recall anything?
153 SHEPHERD: I don't recall him saying anything.
154 VALENTINE: Okay. Can you describe his mannerisms or his emotional state? Can you go into
155 detail with that any?
156 SHEPHERD: He was very erratic. He was covered in blood. He was, he stopped when I got out
157 of the vehicle he stopped where he was, he quit his forward movement but was
158 kind of swinging around in place with the knife and so that's when I started trying
159 to tell him you know, "just drop it, we can take care of this just drop it." and then he
160 put it up to his throat and I said or put it up to his throat and said I said "No don't
161 do it, don't do it. Drop the knife drop the knife." and then he turned towards Lane
162 and started walking towards him and I said, "Stop! Stop! Stop!" and then he turned
163 and started walking towards me and I said, "Stop! Drop the knife, stop! Drop the
164 knife!" and that's when I opened fire.
165 VALENTINE: Okay do you recall who fired first?
166 SHEPHERD: Reed.
167 VALENTINE: Okay. When you when you say that he, when y'all pulled up he stopped. Do you
168 know what caused him to stop or why he stopped walking?
169 SHEPHERD: Well that I mean I think that was basically our intention by going in front of him was
170 to kind of have him in more of a confined space. So Pair drove in front of him, I got
171 out of the passenger side so Lane was behind him and I was in front of him and
172 then so we just kind of ended up flanking him.
173 VALENTINE: Okay so when the shots were fired was everyone in front of him or were there
174 officers behind him or?
175 SHEPHERD: There were no officers behind him.
176 VALENTINE: Okay.
177 SHEPHERD: No.
178 VALENTINE: Were yourself and the other officers on the scene communicating with each other
179 or were communicating with the subject?
180 SHEPHERD: Communicating with the subject.
181 VALENTINE: Okay. Do you know if there were any civilian witnesses that you recall seeing?
182 SHEPHERD: There was after he went down and we retrieved the weapon I was rendering
183 medical aid and looked over and saw a female black with a cell phone standing to
184 the side.

185 VALENTINE: Did you interact with her at all?

186 SHEPHERD: I did not.

187 VALENTINE: Okay. When you say rendering aid do you remember what you did?

188 SHEPHERD: Yes I do.

189 VALENTINE: Can you tell me about that?

190 SHEPHERD: We rid him of the knife, flipped him over, saw that he had the severe lacerations
191 on his wrists, checked his pulse, checked for signs of breathing, started giving
192 commands to other deputies on the scene to bring me towels, shirts, tampons,
193 anything they had in their car. So they came and brought me towels and things so
194 I was trying to hold his wrists and talk to him and then as other people came up
195 and had gloves on, I would give instruction for them to take that. I had Lane rip
196 open his shirt so that we could see where he was hit and attempt to plug any
197 holes, apply pressure, stop the bleeding and keep him conscious and alert.

198 VALENTINE: Okay one last question I've got is what caused you to fire your weapon in your
199 own words?

200 SHEPHERD: He was coming at me with a weapon.

201 VALENTINE: Okay. That's all the questions I have.

202 LITTLE: You indicated someone ripped his shirt open to see where he was hit?

203 SHEPHERD: Yes sir.

204 LITTLE: You recall where he was hit?

205 SHEPHERD: Yes sir he had a wound here...

206 LITTLE: Where is here?

207 SHEPHERD: I'm sorry, I'm sorry, the top of his chest, below his neck area, he had a wound on
208 the right side of his neck.

209 LITTLE: Was that a gunshot wound or a knife wound?

210 SHEPHERD: I do not know.

211 LITTLE: Okay.

212 SHEPHERD: He had a wound I believe in his right elbow and a wound in his right bicep
213 shoulder area.

214 LITTLE: How many of those wounds that you just described were gunshot wounds?

215 SHEPHERD: I could not tell you.

216 LITTLE: Couldn't tell, couldn't tell whether it was a hole or a cut?

217 SHEPHERD: No sir.

218 LITTLE: Okay. The young lady that you indicated was standing by did you ascertain you or
219 anybody on the scene ascertain how long she had been standing there?

220 SHEPHERD: No sir.

Statement Erin Shepherd BN-37-10 (Cont'd)

221 LITTLE: Did not, okay and last question i had what was he charged with, what was the
222 suspect charged with?

223 SHEPHERD: I do not know.

224 LITTLE: You don't know?

225 SHEPHERD: No sir.


226 LITTLE: Okay. I don't have any questions, you have any further questions?

227 VALENTINE: I don't think so.

228 LITTLE: Okay do you have anything else to add to your statement that may assist me in
229 this investigation?


230 SHEPHERD: No sir.

231 LITTLE: This will conclude the statement of Deputy Shepherd at this time.


Erin Shepherd 7/19/16
Date

232
233 
234 7/19/16
235 Sgt. Jason Valentine Date

236 Mark Wagner
237 Date

238 
239 7-19-16
240 Detective Kevin Little Date
KL/rs/07/15/16